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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,393	03/28/2001	Kevin Watts	41EB-1015	3270

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EXAMINER

ALIMENTI, SUSAN C

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/681,393

Applicant(s)

WATTS ET AL.

Examiner

Susan C. Alimenti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 13 recites the limitation "the product" in line 5. There is insufficient antecedent basis for this limitation in the claim as it is unclear which product is being referred to.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over E-commerce-guide.com, in view of Teresko et al.

E-commerce-guide.com (hereafter E-commerce) and Teresko et al. (hereafter Teresko) disclose the present invention except the product of sale is not positively disclosed. E-commerce and Teresko disclose a method and software, released by Calico Technologies for facilitating selection of a product using a network-based system and at least one device, such as a user PC, connected to a server via the network. A product is chosen by the system based upon product specifications or specific needs that are input by the user/buyer. In the event that an accessory product could be useful or if a product is not applicable to the buyer's needs, the system is able to "point a buyer to information about a complimentary product or toward a suitable alternative"

(E-commerce, ¶ 5). The Calico system is further capable to provide the buyer with a price quote on the configured product (E-commerce, ¶, 4).

Regarding claims 6-7, 13-15 and 23-24, Teresko teaches that Calico software is ready to “allow users to select invalid combinations of options to discover where earlier selections conflict with a desired choice”, thus automatically determining compatibility of parts for the desired complex product structure (Teresko, ¶ 6).

While E-commerce and Teresko do not specifically disclose the use of Calico’s program for configuring electrical distribution and control systems, such as core and coil transformers, it is positively presented as being applicable for a multitude of vendors and their respective products. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Calico’s configuration system to sell and distribute core and coil transformers, since Calico’s software program can be used for any type of product.

5. Claims 30-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over E-commerce in view of Teresko, as applied to claims 1-29 above, and further in view of Geller et al. (US 5,844,554).

Regarding claims 30-40 and the above discussion, E-commerce and Teresko disclose the claimed invention except the specific viewer interface is not discussed in detail. Clearly when a user accesses a network-based program through a server interface and is prompted to give desired product features in order to configure a final desired product, the viewer interface should be user-friendly in order to encourage repeat costumers. Geller et al. (Geller hereafter) discloses a user-friendly configurator that comprises a viewer interface or computer display, as viewed in Figures 14A-15B, that prompts a user enter a query and the user is then matched with a certain

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set of data. The user is then prompted to select a component from a list of computer-generated features, accessories, applications and options. Geller uses an automobile as the example, however it is clear that this software is capable of presenting a variety of products, such as transformers, to the user. Furthermore, Geller is cited herein to further show the state of viewer interfaces in configurator programs. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a viewer interface or computer display as disclosed by Geller, with Calico's program in order to provide a user-friendly program for the buyer thus improving commerce relations between the buyer and the vendor.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- The follow articles are cited to further show the details of the Calico system and software;

Screaming Media, Business Wire, "Calico Introduces Calico Advisor ..."

Karpinski, "Configuration Tools Break New Ground"

- The following art is cited to further show the state of the art with respect to Internet product configurators and automated Internet sales;

USPN 4,992,940 to Dworkin

USPN 5,875,110 to Jacobs

USPN 6,070,149 to Tavor et al.

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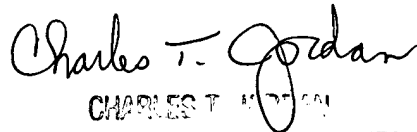
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan C. Alimenti whose telephone number is 703-306-0360.

The examiner can normally be reached on Monday-Thursday, 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles T. Jordan can be reached on 703-306-4159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Susan C. Alimenti  
July 25, 2003

  
CHARLES T. JORDAN  
SUPERVISOR  
TECHNOLOGY CENTER 3600